



SAXENA WHITE

March 31, 2023

**VIA ECF**

U.S. Magistrate Judge Andrew M. Edison  
United States Courthouse  
601 Rosenberg, Seventh Floor  
Galveston, TX 77550

Re: No. 4:21-cv-00575, *In re Plymouth County Retirement Sys. v. Apache Corp., et al.*

Dear Judge Edison:

Pursuant to the Court’s Docket Control Order, Dkt. 86, and the Court’s March 21, 2023 Minute Order, the Plymouth County Retirement System (“Plymouth County”) and the Trustees of the Teamsters Union No. 142 Pension Fund (“Teamsters 142”) (collectively, “Lead Plaintiffs”) and Defendants Apache Corporation (“Apache”), John J. Christmann, IV, Timothy J. Sullivan, and Stephen J. Riney (collectively, “Defendants” and, together with Lead Plaintiffs, the “Parties”) jointly provide the Court with this third update concerning the status of their efforts to agree to a Search Protocol pertaining to Defendants’ document production in this matter.

Although the Parties have agreed on certain matters, they appear to have reached impasse on others. As a result, the Parties propose the following schedule for resolving the remaining disputed issues: (1) Plaintiffs submit to the Court a short letter brief (not to exceed 5 single-spaced pages) outlining their position on the remaining disputed issues on April 4; and (2) Defendants submit their responsive letter brief (not to exceed 5 single-spaced pages) on April 7.

Respectfully submitted,

/s/ Johnston de F. Whitman, Jr.  
**KESSLER TOPAZ**  
**MELTZER & CHECK, LLP**  
Gregory M. Castaldo (*pro hac vice*)  
Johnston de F. Whitman, Jr. (*pro hac vice*)  
Joshua E. D’Ancona (*pro hac vice*)

/s/ Amy Pharr Hefley  
**BAKER BOTTS L.L.P.**  
David D. Sterling  
Attorney-In-Charge  
Texas Bar No. 19170000  
Federal I.D. No. 07079



 SAXENA WHITE

Michelle M. Newcomer (*pro hac vice*)  
Richard A. Russo Jr. (*pro hac vice*)  
Daniel B. Rotko (*pro hac vice*)  
Austin W. Manning (*pro hac vice*)  
280 King of Prussia Road  
Radnor, PA 19087  
Telephone: (610) 667-7706  
Facsimile: (610) 667-7056  
gcastaldo@ktmc.com  
jwhitman@ktmc.com  
jdanca@ktmc.com  
mnewcomer@ktmc.com  
rrusso@ktmc.com  
drotko@ktmc.com  
amanning@ktmc.com

Amy Pharr Hefley  
State Bar No. 24046046  
910 Louisiana Street  
Houston, TX 77002  
Telephone: (713) 229-1946  
Facsimile: (713) 229-7946  
david.sterling@bakerbotts.com  
amy.hefley@bakerbotts.com

*Counsel Attorneys for Defendants Apache Corporation, John J. Christmann IV, Timothy J. Sullivan, and Stephen J. Riney*

**SAXENA WHITE P.A.**

David R. Kaplan (*pro hac vice*)  
Wolfram T. Worms (*pro hac vice*)  
Hani Farah (*pro hac vice*)  
505 Lomas Santa Fe Dr., Suite 180  
Solana Beach, CA 92075  
Telephone: (858) 997-0860  
Facsimile: (858) 369-0096  
dkaplan@saxenawhite.com  
wworms@saxenawhite.com  
hfarah@saxenawhite.com

-and-

Steven B. Singer (*pro hac vice* forthcoming)  
Joshua H. Saltzman (*pro hac vice*)  
Sara DiLeo (*pro hac vice*)  
10 Bank Street, 8th Floor  
White Plains, NY 10606  
Telephone: (914) 437-8551  
Facsimile: (888) 631-3611  
ssinger@saxenawhite.com  
jsaltzman@saxenawhite.com  
sdileo@saxenawhite.com

-and-



SAXENA WHITE

Maya Saxena (*pro hac vice* forthcoming)  
Joseph E. White, III (*pro hac vice* forthcoming)  
Lester R. Hooker (*pro hac vice* forthcoming)  
7777 Glades Road, Suite 300  
Boca Raton, FL 33434  
Telephone: (561) 394-3399  
Facsimile: (561) 394-3382  
[msaxena@saxenawhite.com](mailto:msaxena@saxenawhite.com)  
[jwhite@saxenawhite.com](mailto:jwhite@saxenawhite.com)  
[lhooker@saxenawhite.com](mailto:lhooker@saxenawhite.com)

*Co-Lead Counsel for Lead Plaintiffs*

**AJAMIE LLP**

Thomas R. Ajamie, Attorney-in-Charge  
Texas Bar No. 00952400  
S.D. Tex. No. 6165  
John S. “Jack” Edwards, Jr.  
Texas Bar No. 24040851  
S.D. Tex. No. 38095  
Pennzoil Place – South Tower  
711 Louisiana, Suite 2150  
Houston, TX 77002  
Telephone: (713) 860-1600  
Facsimile: (713) 860-1699  
[tajamie@ajamie.com](mailto:tajamie@ajamie.com)  
[jedwards@ajamie.com](mailto:jedwards@ajamie.com)

*Liaison Counsel for Lead Plaintiffs*